

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In Re:  
JAMES STEPHEN OSIECZONEK  
KAREN RUTH OSIECZONEK  
Debtor(s)

Chapter 13 Bankruptcy  
Case No. 13-23443-MDM

**TRUSTEE'S OBJECTION AND NOTICE OF OBJECTION  
TO DEBTORS' PROPOSED CHAPTER 13 PLAN**

Mary B. Grossman, Standing Chapter 13 Trustee has filed papers with the court objecting to the modified plan filed by the debtor.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

The Trustee, Mary B. Grossman, hereby objects to the proposed modification of the Chapter 13 Plan in this bankruptcy proceeding for the following reason(s):

- The proposed plan is not substantiated by a budget.
- This proposed plan does not provide for a feasible plan.
- The plan does not provide for the submission of all or such portion of future earnings or other future income of the debtor to the supervision and control of the Trustee as is necessary for the execution of the Plan. 11 U.S.C. §1322(a)(1).
- The plan does not provide for the full payment, in deferred cash payments, of all claims entitled to priority under 11 U.S.C. §507. 11 U.S.C. §1322(a)(2).
- The plan does not provide for the same treatment for each claim within a particular class. 11 U.S.C. §1322(a)(3).
- The plan has not been proposed in good faith. 11 U.S.C. §1325(a)(3).
- Failure to pay all disposable income as required by §1325(b).
- Failure to properly serve post-confirmation plan modification as required by Rule 3015(g).
- Other: The Court mailing matrix lists a total of 50 creditors, the service list filed by the Debtors lists 10 parties that receive electronic notice and 30 creditors who received notice via first class mail for a total of 40. It appears that not all creditors were served with the plan modification.

The Trustee respectfully requests that a hearing be set in this matter.

Dated at Milwaukee, Wisconsin, this 20<sup>th</sup> day of November 2013

OFFICE OF CHAPTER 13 TRUSTEE

/s/ \_\_\_\_\_  
Mary B. Grossman, Chapter 13 Trustee  
Rebecca Rogers Garcia, Staff Attorney  
Jack N. Zaharopoulos, Staff Attorney

**P.O. ADDRESS:**  
P.O. Box 510920  
Milwaukee, WI 53203  
414-271-3943  
414-271-9344 (Fax)  
[info@chapter13milwaukee.com](mailto:info@chapter13milwaukee.com)

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Chapter 13 Bankruptcy

In Re: JAMES STEPHEN OSIECZONEK  
KAREN RUTH OSIECZONEK

Debtors

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**CERTIFICATE OF SERVICE – TRUSTEE’S OBJECTION AND NOTICE OF OBJECTION  
TO DEBTORS’ PROPOSED CHAPTER 13 PLAN**

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The undersigned being first duly sworn on oath, deposes and says that on this date she electronically or conventionally served a copy of the attached Notice of Objection to Debtor’s proposed Chapter 13 Plan in accordance with FRBP and FRCP (5)(b)(2)(D) .

Dated: November 20, 2013

/s/ \_\_\_\_\_  
Tongula Washington  
Administrative Assistant to  
Mary B. Grossman, Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203  
(414) 271-3943

CONVENTIONAL MAIL RECIPIENTS:

Debtor(s):

JAMES STEPHEN OSIECZONEK &  
KAREN RUTH OSIECZONEK  
1719 CENTER ROAD  
WAUKESHA, WI 53189

ELECTRONIC MAIL RECIPIENTS:

MUSKEGO LEGAL CENTER LLP  
OFFICE OF THE US TRUSTEE